

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION

Michael Barrett, IV, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 2:11-cv-04242-NKL
)	
Donald M. Claycomb, et al.,)	
)	
Defendants.)	

SUPPLEMENTAL MOTION FOR ATTORNEYS' FEES AND COSTS

Come now Plaintiffs and move this Court for a supplemental award of \$9,131.38 in attorneys' fees and costs for the work in opposition to Defendants' petition for writ of certiorari. In support, Plaintiffs state:

1. Final judgment in favor of Plaintiffs was entered on September 16, 2013. ECF No. 235.
2. On December 9, 2013, this Court awarded attorneys' fees and expenses of \$171,274.48, subject to class notice, the opportunity to object, and a hearing, if necessary. ECF No. 261.
3. Plaintiffs' unopposed bill of costs, filed on September 25, 2013, remains pending. ECF No. 236.
4. On March 2, 2017, the Court of Appeals awarded Plaintiffs \$39,566.00 for attorneys' fees on appeal as well as \$396.48 in taxable costs. ECF No. 287.
5. Defendants filed a petition for writ of certiorari, which Plaintiffs opposed.
6. On June 5, 2017, the petition for writ of certiorari was denied.

7. As discussed in the affidavit of Anthony E. Rothert, attached hereto as Exhibit 1, Plaintiffs seek attorneys' fees for 23.9 hours of work in preparing their brief in opposition. Using the hourly rates at which fees were awarded in this case by the Eighth Circuit, Plaintiffs should be awarded additional attorneys' fees of \$8,288.00 for this time.
8. Plaintiffs incurred \$843.38 in expense for the costs of printing and serving their brief in opposition. A copy the invoice for those expenses is attached hereto as Exhibit 2.

WHEREFORE Plaintiffs request this Court grant a supplemental award of attorneys' fees in the amount of \$8,288.00 and additional expenses in the amount of \$843.38, for a total of \$9, 131.38.

Respectfully Submitted,

/s/ Anthony E. Rothert
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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served by operation of the Court CM/ECF system upon counsel for each party on June 8, 2017.

/s/ Anthony E. Rothert